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## **OLR Bill Analysis**

**HB 6453 (as amended by House "A")\***

### ***AN ACT CONCERNING FOAMED-IN-PLACE INSULATING MATERIAL.***

#### **SUMMARY:**

Current law bans the installation of urea-formaldehyde foamed-in-place insulation (UFFI), except for urethane foam insulation or styrene foam insulation, in any building or structure.

This bill narrows the definition of UFFI and extends the ban on UFFI installation to UFFI sales as well.

The bill also bans the sale and installation of all other foamed-in-place insulating material, unless the manufacturer or supplier certifies to the state building inspector that the material complies with the bill's specifications. The bill retains the exemption for urethane foam insulation or styrene foam insulation.

The bill extends the penalty for the unlawful installation of UFFI to the sale of UFFI and sale and installation of other foamed-in-place insulation. A first violation is punishable by a fine of up to \$500 and a subsequent violation by a fine of up to \$1,000.

\*House Amendment "A" adds the Standard Method verification, replaces ASTM D6007 tests with ASTM D7859 tests, and changes the effective date to upon passage.

EFFECTIVE DATE: Upon passage

#### **UFFI**

Current law defines "UFFI" (also referred to as formaldehyde-based insulation) as cellular plastic thermal material, irrespective of how generated, containing chemical formaldehyde, formaldehyde polymers

or derivatives, or other chemicals that can release formaldehyde.

The bill narrows the definition of UFFI by excluding references to formaldehyde polymers and derivatives and formaldehyde releasing chemicals. It also defines the material by the method used to generate it. Under the bill, "UFFI insulation material" means a cellular plastic insulation material generated in a continuous stream by mixing a urea-formaldehyde-based resin, air, and a foaming agent.

Under both current law and the bill, the definition does not include urethane foam insulation or styrene foam insulation.

### **OTHER FOAMED-IN-PLACE INSULATION**

The bill bans the sale or installation of any foamed-in-place insulating material, except urethane or styrene foam insulation, unless the manufacturer or supplier certifies to the state building inspector that the cured material complies with the bill's specifications.

The certification must contain:

1. the manufacturer's name;
2. a description of the type of insulating material being certified in sufficient detail to permit its identification, such as information sheets, brochures, a sample product label, or similar information;
3. a statement that the insulating material is not a UFFI material; and
4. verification that the insulating material either (a) has undergone small-scale formaldehyde emissions testing and evaluation in accordance with, and meets the requirements of, the most current version of the Standard Method or (b) meets the requirements of one of several specified methods, provided all samples are prepared, sprayed, packaged, and shipped in accordance with the most current version of ASTM standard D7859.

If the Standard Method certification is used, the manufacturer or supplier must verify that:

1. all samples are prepared, sprayed, packaged, and shipped to an analytical laboratory in accordance with the most current version of ASTM standard D7859;
2. the laboratory has ISO/IEC standard 17025 accreditation and can perform the testing and evaluation; and
3. the formaldehyde emissions testing and evaluation include indoor air quality modeling for thermal insulation used in ceilings and walls in a standard school classroom as specified in Table 4.3 of the most current version of the Standard Method.

Under the bill, the “Standard Method” means the “Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers Version 1.1,” issued in 2010 by the California Department of Public Health.

If the ASTM verification is used, the insulating material must meet one of the following standards:

1. Scientific Certification Systems Indoor Advantage + Formaldehyde Free Certification Requirements,
2. GREENGUARD Environmental Institute’s Formaldehyde-free Verification Requirements,
3. CAN/ULC-S774-09 Standard Laboratory Guide for the Determination of Volatile Organic Compound Emissions from Polyurethane Foam, or
4. any other test or documentation acceptable to the state building inspector that documents the emission or release of urea formaldehyde within cured insulating material.

Under the bill, “ASTM standard D7859” means “ASTM 7859,

Standard Practice for Spraying, Sampling, Packaging and Test Specimen Preparation of Spray Polyurethane Foam (SPF) for Testing of Emissions Using Environmental Chambers,” published by ASTM International.

The certification must also contain a description of the quality assurance program used by the manufacturer or supplier, including the manufacturer’s or supplier’s training program for installers of the insulating material.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 23 Nay 0 (03/07/2013)

Environment Committee

Joint Favorable

Yea 25 Nay 0 (04/23/2013)